

**Town of Hampton  
Annual Town Meeting  
February 2, 2013  
Results of Balloting  
March 12, 2013**

Moderator Robert Casassa opened the Deliberative Session of the Hampton Town Meeting at 8:30 am on February 2, 2013 in the Winnacunnet High School Community Auditorium.

Moderator Casassa welcomed attendees to Deliberative Session and announced that the warrant had been posted.

Moderator Casassa introduced Rachel Clark, Cassandra Downs and Bailey Weber from Hampton Academy who led the group in the Pledge of Allegiance.

The Moderator introduced the town officials: Selectmen Chairperson Richard Griffin, Richard Nichols, Michael Pierce, Bennett Moore, and Philip Bean; Town Manager Fred Welch; Town Attorneys Mark Gearreald and Wanda Robertson; Town Clerk Jane Marzinzik; Deputy Town Clerk Shirley Doheny; Administrative Assistant Kristina Ostman; Finance Director Michael Schwotzer; Budget Committee Chairperson Eileen Latimer, Vice Chairman Mary-Louise Woolsey; Supervisors of the Checklist Arleen Andreozzi and Barbara Renaud. Assisting the Supervisors are Theresa Ryan, Martha Williams, and Kathy Sowerby.

The Moderator advised if you intend to vote today you must check in with the Supervisors of the Checklist to obtain your voting card.

Assisting the Moderator are Denis Kilroy, Nathan Page, and Nancy Stiles. Breakfast and lunch is being served in the entry way by Hampton Academy 8<sup>th</sup> Grade Class to benefit their trip to New York City.

The Moderator gave the purpose and rules of Deliberative Session and gave information regarding exits and fire codes.

The Moderator advised we will be voting on March 12 at the WHS Dining Hall.

Moved by Mike Pierce , Seconded by Dick Nichols to allow out of town residents to speak (Fred Welch, Town Manager, Mark Gearreald, Wanda Robertson, Town Attorneys; Kevin Schultz, Building Inspector;

Mike Schwotzer, Finance Director; Dyana Martin, Recreation & Parks Director; Ed Tinker, Assessor; Jamie Steffen, Planner; Kristina Ostman, Administrative Assistant; Keith Noyes, Public Works Director; Amanda Reynolds Cooper, Library Director).

### Article 1

To choose by non-partisan Ballot:

One (1) Selectman for a 3-Year term; One (1) Town Clerk for a 3-Year term; One (1) Supervisor of the Checklist for a 1-yr Term; Cemetery Trustee for a 3-Year term; One (1) Library Trustee for a 3-Year term; Four (4) Members of the Budget Committee for 3-Year terms; Two (2) Members of the Budget Committee for 1-Year terms; Two (2) Members of the Planning Board for 3-Year Terms; One (1) Trustee of the Trust Funds for a 3-Year term; One (1) Member of the Zoning Board of Adjustment for a 3-Year term.

The Moderator announced the candidates for each office in the order in which they will appear on the ballot per RSA 656:5-a:

#### **SELECTMAN**

**Mary-Louise Woolsey – 1197\***

Richard Griffin - 1106

#### **TOWN CLERK**

**Jane Marzinzik – 1912\***

#### **SUPERVISOR OF THE CHECKLIST**

**Jeannine G. St.Germain – 1834\***

#### **TRUSTEE OF THE TRUST FUNDS**

**William A. Hartley – 1763\***

#### **LIBRARY TRUSTEE**

**Linda Sadlock – 1777\***

## **PLANNING BOARD**

**Francis McMahon – 1597\***

**Keith R. Lessard – 1513 \***

## **CEMETERY TRUSTEE**

Alan E. Jones - 857

**Susan W. Erwin – 873\***

A recount of the Cemetery Trustee Race was requested on Friday, March 15, 2012 by Alan E. Jones. The recount took place on Friday, March 22, 2013. The results of the recount reflect the following:

Alan E. Jones – 856

**Susan W. Erwin – 874\***

No change to the overall result.

## **BUDGET COMMITTEE**

**Jerry Znoj – 1408\***

Victor R. DeMarco - 1102

**Brian Lapham – 1556\***

**Eileen Latimer – 1673\***

**Mark McFarlin – 1141\***

## **BUDGET COMMITTEE**

**Sunny Kravitz – 1461\***

**Timothy “Citizen” Jones – 1231\***

## **ZONING BOARD**

**Bryan Provencal – 1652\***

## **ARTICLE 2**

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Hampton Zoning Ordinance as follows?

## **ARTICLE V - SIGNS**

Amend the following sections of Article V. Signs

Section 5.2                      Definitions

**Changeable Copy and Electronic Signage Sign:** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually or electronically without altering the face or surface of the sign.

**Section 5.4.2** Permitted signs for all zones are indicated in Table I with the following restrictions:

a) Freestanding signs

1) Where a ~~zoning~~ lot or building fronts on more than one public street, the provisions of this ordinance shall apply to each frontage.

2) Where more than one freestanding sign is permitted the minimum distance between the signs shall be 300 feet, per frontage.

~~3) The maximum portion of a freestanding sign dedicated to changeable copy is 20 percent.~~

c) Projecting signs

~~1) The projecting sign may exist instead of, but not in addition to, a freestanding sign~~

~~2)~~ 1) Where a ~~zoning~~ lot or building fronts on more than one public street, the provisions of this ordinance shall apply to each frontage.

i) Changeable Copy and Electronic Signage

1) A changeable copy or electronic sign is prohibited from having a strobe that pulses.

2) A changeable copy or electronic sign on which the message changes more than once a minute shall be considered an animated sign and is prohibited.

Table I Permitted Signs Per Zone

Changeable Copy Sign and Electronic Signage

Table II Size Chart

Changeable Copy Sign and Electronic Signage

Recommended by the Planning Board

Moved by Rick Griffin, Seconded by Mike Pierce to waive reading of and to open Article 2 for discussion. Fran McMahon gave an overview of Article 2.

Mary-Louise Woolsey, 148 Little River Rd, asked who submitted this article? Mr. McMahon advised it was submitted by the Planning Board.

Arthur Moody, 3 Thomsen Rd, advised he is opposed to Article 2.

No further discussion. The Article will be on the ballot as written.

**Yes – 1963\***

No - 281

### ARTICLE 3

Are you in favor of the adoption of Amendment No. 2 as proposed by the Board of Selectmen for the Hampton Zoning Ordinance as follows?

Amend Article I

Add new section

Section 1.7 Re-numbering of Articles, Sections and Article references

This section authorizes the re-numbering of articles, and/or sections and related article references within the Zoning Ordinance as required.

Recommended by the Planning Board

Moved by Mike Pierce, Seconded by Rick Griffin to open Article 3 for discussion.

Fran McMahon gave an overview of Article 3.

Arthur Moody spoke in opposition of Article 3.

No further discussion. The Article will be on the ballot as written.

**Yes – 1993\***

No - 224

Article 4

Shall the Town of Hampton vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$24,599,427.00. Should this article be defeated the default budget shall be \$24,603,429.00, which is the same as last year, with certain adjustments required by previous action of the Town Meeting or by law; or the governing body may hold one special town meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Recommended by the Budget Committee 14-0

Moved by Rick Griffin, Seconded by Dick Nichols to open Article 4 for discussion.

Eileen Latimer, Chairperson of the Budget Committee gave an overview of Article 4.

Victor DeMarco, 11 Milbern Ave, spoke on the wording of the budget. Dick Nichols advised the budget is a less than 1% increase over last year's budget.

No further discussion. The Article will be on the ballot as written.

**Yes – 2146\***

No - 163

#### Article 5

Shall the Town of Hampton vote in accordance with RSA 32:5, V-b, to require that the annual budget article and all special warrant articles having a tax impact, as determined by the governing body (the Board of Selectmen), shall contain a notation stating the estimated tax impact of the warrant article, with the determination of the estimated tax impact being subject to the approval of the governing body? (Majority vote required)

Recommended by the Board of Selectmen          5-0

Moved by Dick Nichols, Seconded by Rick Griffin to open Article 5 for discussion.

Dick Nichols gave an overview of Article 5.

Carolyn Fetter, 206 Woodland Road, spoke in favor of Article 5.

No further discussion. The Article will be on the ballot as written.

Moved by Dick Nichols, Seconded by Mike Pierce to Restrict Reconsideration of Articles 4-5. Motion passed.

**Yes – 2108\***

No - 172

#### Article 6

Shall the Town of Hampton vote to raise and appropriate the sum of \$150,000 to be placed in the Firefighting Apparatus Capital Reserve Fund created under Article 29 of the 1995 Annual Town Meeting in accordance with the provisions of RSA 35? (Majority vote required)

Recommended by the Board of Selectmen          3-2

Recommended by the Budget Committee          12-0

Moved by Ben Moore, Seconded by Mike Pierce to open Article 6 for discussion.

Fire Chief Christopher Silver gave an overview and spoke in favor of Article 6.

Arthur Moody spoke in opposition of Article 6.

Mary-Louise Woolsey spoke in favor of Article 6.

Jerry Znoj, 16 Presidential Circle, spoke in favor of Article 6 and made a motion to amend, after “RSA” put a comma, and enter “with the sum of \$150,000 to come from the undesignated fund balance (surplus) as of December 31, 2012 and no amount to be raised by taxation as tax impact has already occurred.” Seconded by Bonnie Searle.

Bonnie Searle asked if it was for an ambulance or fire truck. The Moderator advised it could be used for either firefighting or fire rescue.

Eileen Latimer spoke in opposition of the Znoj Amendment.

Mary-Louise Woolsey spoke to the Amendment.

Vote taken on the Znoj Amendment. The amendment failed.

Eileen Latimer spoke in favor of Article 6.

Norm Hurley, 472 High St, spoke in favor of Article 6.

Victor DeMarco, 11 Milbern Ave, spoke in favor of Article 6.

Moderator took a vote to cease discussion of Article 6.

No further discussion. The Article will be on the ballot as written.

Yes – 994

**No – 1302\***

#### Article 7

Shall the Town of Hampton vote to raise and appropriate the sum of \$300,000 for road improvements, with \$225,000 of said appropriation to be added to the Road Improvement Capital Reserve Fund previously established under Article 16 of the 1998 Annual Town Meeting in accordance with the provisions of RSA 35 and with \$75,000 of said appropriation to be expended for the purpose of surveying and preliminary design work for the reconstruction and replacement of the highway, drainage, sidewalks and utilities within Exeter Road from Route 101 to Lafayette Road; this Article is designated as a special warrant article as defined in RSA 32:3, VI? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Recommended by the Budget Committee 8-4

Moved by Mike Pierce, Seconded by Phil Bean to open Article 7 for discussion.

Moved by Mary-Louise Woolsey, Seconded by Mike Plouffe to amend Article 7 to read:

*Shall the Town of Hampton vote to raise and appropriate the sum of \$300,000 for the purpose of making road improvements, to be added to the Road Improvement Capital Reserve Fund under Article 16 of the 1998 Town Meeting in accordance with the provisions of RSA 35, and further to authorize the Board of Selectmen to withdraw up to \$75,000 from this Fund to be expended for the purpose of survey and preliminary design work for the reconstruction and replacement of the highway, drainage, sidewalks and utilities within the Exeter Road – from Route 101 to Lafayette Road? (Majority vote required)*

Vote taken on the Woolsey amendment. Woolsey amendment passed.

Jerry Znoj advised he does not understand the Article.

Keith Noyes gave an explanation of Article 7.

Moved by Ben Moore, Seconded by Mary-Louise Woolsey to Restrict Reconsideration of Articles 6 & 7. Motion passed.

No further discussion. The Article will be on the ballot as amended.

**Yes – 1842\***

No - 467

#### Article 8

Shall the Town of Hampton vote to raise and appropriate the sum of \$190,000 for the purchase of a one-ton dump truck with plow and wing; and a six-wheel 35,000 lb. gross vehicle weight dump truck with plow and wing for the Department of Public Works, with the replaced vehicles to be traded in. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the vehicle purchases are made or by March 31, 2014, whichever is sooner? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Not Recommended by the Budget Committee 8-4

Moved by Rick Griffin, Seconded by Dick Nichols to open Article 8 for discussion.

Rick Griffin gave an overview of Article 8.

Yes – 758

**No – 1585\***

#### Article 9

Shall the Town of Hampton vote to raise and appropriate the sum of \$100,000 to conduct Phase 1 of a Wastewater Collection System Infiltration and Inflow (I & I) Study to determine the locations of I & I and their severity; and to establish priorities for maintenance and repair of the collection system in order to reduce the I & I, thereby reducing annual operational costs and extending the life of the collection system and the waste water treatment plant. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until Phase 1 of the I & I Study is completed or by March 31, 2015, whichever is sooner? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Recommended by the Budget Committee 12-0



Moved by Dick Nichols, Seconded by Phil Bean to open Article 9 for discussion.

Dick Nichols gave an overview of Article 9.

Jerry Znoj spoke in favor of Article 9.

No further discussion. The Article will be on the ballot as written.

**Yes – 2014\***

No - 328

#### Article 10

Shall the Town of Hampton vote to raise and appropriate the sum of \$90,000 to conduct the first part of an updated Wastewater Treatment Plant Facilities Plan that will review the condition of the existing Wastewater Treatment Plant and the new National Pollution Discharge Elimination System permit requirements with consideration of future growth and potential energy savings as the basis for formulating recommendations and a plan for necessary wastewater treatment plant improvements. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the first part of an updated Wastewater Treatment Plant Facilities Plan is completed or by December 31, 2018, whichever is sooner?  
(Majority vote required)

Recommended by the Board of Selectmen            5-0

Recommended by the Budget Committee            12-0

Moved by Mike Pierce, Seconded by Ben Moore to open Article 10 for discussion.

Mike Pierce gave an overview of Article 10.

Jerry Znoj spoke in favor of Article 10.

No further discussion. The Article will be on the ballot as written.

**Yes – 2007\***

No - 331

#### Article 11

Shall the Town of Hampton vote to raise and appropriate the sum of \$500,000 to construct a Sewer and Drain Building that will include a Vehicle and Equipment Wash Down Facility, to be constructed at the Public Works facility off Hardardt's Way and to consist of a 140 foot by 60 foot steel structure comprised of five truck bays (one of which will be a drive-through bay), an office and meeting room, work area with lavatories, storage areas and a 60 foot by 20 foot equipment and truck wash bay for equipment maintenance. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until

construction of the facilities is completed or by March 31, 2015, whichever is sooner? (Majority vote required)

Recommended by the Board of Selectmen	3-2
Recommended by the Budget Committee	12-0

Moved by Phil Bean, Seconded by Rick Griffin to open Article 11 for discussion.

Keith Noyes gave an overview of Article 11.

Toby Spainhower, Sewer & Drain Foreman, gave an in-depth review of Article 11 and provided a slide show of the details.

Alphonso Webb, 11 Windmill Lane, spoke in favor of Article 11.

Bonnie Searle, 16 Penniman Lane, advised she is not speaking for or against, as she has more questions. Ms. Searle asked if the office is for additional people. Keith Noyes advised it is to allow the currently staffed personnel to have their own work area as they are currently sharing space. Bonnie Searle asked who will operate the wash bay? Keith Noyes advised any employees may use the wash bay to clean the town vehicles.

Jerry Znoj spoke in favor of Article 11 with reservation.

Keith Noyes clarified that the work indicated in the slides are of a preliminary design.

Mary-Louise Woolsey spoke in favor of Article 11.

Moderator took a vote to cease discussion of Article 11. Motion passed.

No further discussion. Article 11 will be on the ballot as written.

Moved by Mary-Louise Woolsey, Seconded by Rick Griffin to Restrict Reconsideration of Articles 8-11. Motion passed.

Yes – 859

**No – 1462\***

#### Article 12

Shall the Town of Hampton vote to raise and appropriate the sum of \$510,000 for the reconstruction of the intersection at Winnacunnet Road and Lafayette Road in conjunction with the State and Federal Governments through grant participation; the State and Federal Governments to contribute 80% of the cost of the work through reimbursement to the Town of \$446,000 resulting in the Town's portion being \$112,000, of which \$48,000 has already been encumbered from Highway Department operational funds under the 2011 budget as a part of the Town's 20% match; this article does not include sewer work. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the re-construction of the intersection is completed or by March 31, 2015, whichever is sooner? (Majority vote required)

Recommended by the Board of Selectmen 4-1  
Not Recommended by the Budget Committee 8-3-1

Moved by Ben Moore, Seconded by Rick Griffin to open Article 12 for discussion.

Keith Noyes gave an overview of Article 12.

Dick Desrosiers, 40 Salt Meadow, spoke in opposition of Article 12.

Jerry Znoj spoke not in favor nor opposed to Article 12.

Mark Loopley, 7 Carlson Rd, spoke in favor of Article 12.

Arthur Moody spoke in opposition of Article 12.

Rick Griffin gave an overview of discussions with the State of NH, and spoke in favor of Article 12.

Mary-Louise Woolsey spoke in opposition of Article 12.

Vic Lessard, 100 Timber Swamp Rd, spoke in opposition of Article 12.

Lynn Cozza-Goodman, 182 Exeter Road, spoke in opposition of Article 12.

Fred Rice, 15 Heather Lane, spoke in favor of Article 12.

Keith Noyes clarified a few points regarding the spur and sewer.

Nathan Page, 200 Drakeside Rd, spoke in opposition of the street light within the Article.

Maurice Friedman, 30 Hampton Meadows, spoke in opposition of Article 12.

Moderator took a vote to cease discussion of Article 12. Motion passed.

No further discussion. The Article will be on the ballot as written.

Yes – 749

**No – 1595\***

### Article 13

Shall the Town of Hampton vote to raise and appropriate the sum of \$75,000 for the purpose of demolishing the Old Court House located at 130 Winnacunnet Road. This shall be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the demolition is completed or by March 31, 2014, whichever is sooner? (Majority vote required)

Recommended by the Board of Selectmen 4-1  
Recommended by the Budget Committee 10-1-1

Moved by Mike Pierce, Seconded by Rick Griffin to open Article 13 for discussion.

Mike Pierce gave an overview of Article 13

**Moved by Mike Pierce, Seconded by Dick Nichols, to amend Article 13 by striking the figure \$75,000 and replacing it with the figure \$32,300.**

Mike Pierce spoke to the amendment.

**Vote on Pierce amendment. Motion passed.**

Jerry Znoj spoke in favor of Article 13.

Fred Rice spoke in opposition of Article 13.

Bonnie Searle asked what will happen to the monuments that are on the property of the old courthouse?

Fred Welch advised they will be preserved.

Bonnie Searle spoke in opposition of Article 13.

Arthur Moody spoke in opposition of Article 13.

Fred Welch gave an overview of Article 13.

No further discussion. The Article will be on the ballot as amended.

**Yes – 1692\***

No - 648

#### Article 14

Shall the Town of Hampton vote to raise and appropriate the sum of \$4,800 for the purpose of redesigning the architectural plans for the playing field and the amenity plans for the Campbell Property as determined by the Board of Selectmen, the Town Manager, the Director of Public Works and the Director of Recreation and Parks and to fund said appropriation by transferring \$4,800 from the Recreation Infrastructure Special Revenue Fund established under Article 44 of the 2007 Annual Town Meeting, and to authorize the withdrawal of that amount from the Recreation Infrastructure Special Revenue Fund established for that purpose under Article 44 of the 2007 Town Meeting. No amount to be raised by taxation? (Majority vote required)

Recommended by the Board of Selectmen            4-1

Recommended by the Budget Committee            10-2

Moved by Phil Bean, Seconded by Rick Griffin to open Article 14 for discussion.

Dyana Martin gave an overview of Article 14.

Jay Diener gave an overview of Article 14.

William Bowley, 252 Landing Road, spoke in favor of Article 14.

No further discussion. The Article will be on the ballot as written.

Yes – 1034

**No – 1251\***

### Article 15

Shall the Town of Hampton vote to raise and appropriate the sum of \$90,000 to carry out all lawful functions allowed under federal, state and local criminal justice forfeiture programs and to authorize the withdrawal of that amount from the Police Forfeiture Special Revenue Fund created for that purpose under Article 55 of the 2003 Town Meeting? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Recommended by the Budget Committee 12-0

Moved by Mike Pierce, Seconded by Ben Moore, to open Article 15 for discussion.

Mike Pierce gave an overview of Article 15.

No further discussion. The Article will be on the ballot as written.

Moved by Ben Moore, Seconded by Mary-Louise Woolsey to Restrict Reconsideration of Articles 12-15.

Motion passed.

**Yes – 1905\***

No - 355

### Article 16

Shall the Town of Hampton vote:

To rescind the provisions of RSA 31:95-c as to the Hampton Cable TV Local Origination Fund, a Special Revenue Fund created under Article 21 of the March 14, 2000 Town Meeting and funded with revenues generated from the Cable TV Franchise Agreement Franchise Fee, and adopted “to restrict 100% of the revenues from the Cable TV local origination franchise agreement funds to expenditures for the purpose of providing local public, educational, and governmental access broadcasts in compliance with franchise agreements and/or future assigns? Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the Hampton Cable TV Local Origination Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of revenue?”;

And

To transfer any surplus remaining in said Fund up to the sum of \$78,771.47 into, and to establish, a Hampton Cable TV Local Revolving Fund pursuant to RSA 31:95-h, into which Revolving Fund there shall be deposited 25% of the funds that are received from the Franchise Fees, and shall be allowed to accumulate from year to year, and shall not be considered to be part of the Town’s general fund

unassigned fund balance. The Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen (no future Town Meeting approval required). These funds may be expended only for the purpose of providing cable access for public, educational, or governmental use in compliance with the franchise agreement, and no expenditure shall be made in such a way as to require the expenditure of other town funds which have not been appropriated for that purpose. The balance of the Franchise Fees received by the Town under that Cable TV Franchise Agreement are to be deposited in the general fund unassigned fund balance as revenues to reduce taxes. Pursuant to RSA 31:95-d, II, the effective date of this article, if passed by the Town, shall be retroactive to January 1, 2013; defeat of this Article 16 will leave in place the existing Hampton Cable TV Local Origination Fund and whatever action is taken by this Town Meeting on the following Article 17? (Majority vote required.)

Recommended by the Board of Selectmen 5-0

Moved by Ben Moore, Seconded by Dick Nichols, to waive reading of Article 16. Motion passed.

Moved by Phil Bean, Seconded by Dick Nichols to open Article 16 for discussion.

Mark Gearreald gave an overview of Article 16.

Art Gopalan, 20 Windmill Lane, spoke in opposition of Article 16.

Arthur Moody spoke to Article 16.

Mary-Louise Woolsey spoke in opposition of Article 16.

Fred Rice spoke in opposition of Article 16. Mr. Rice asked about a public channel for residents to submit their own shows, etc. Dick Nichols advised the new contract provides for an additional channel.

No further discussion. Article 16 will be on the ballot as written.

**Yes – 1889\***

No - 339

#### Article 17

Shall the Town of Hampton vote to raise and appropriate the sum of \$100,000 from revenues generated from the Hampton Cable TV Local Origination Fund, a special revenue fund created under Article 21 of the 2000 Annual Town Meeting and funded by 25% of the franchise fee revenues generated from the Cable TV local origination franchise agreement, to upgrade, expand and enhance the development of local origination channels, but if the preceding Article 16 in this warrant passes to rescind the Hampton Cable TV Local Origination Fund then this Article 17 is null and void? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Recommended by the Budget Committee 12-0

Moved by Mike Pierce, Seconded by Dick Nichols to open Article 17 for discussion.

Dick Nichols gave an overview of Article 17.

No further discussion. The Article will be on the ballot as written.

**Yes – 1863\***

No - 375

#### Article 18

Shall the Town of Hampton vote to change the purpose of the Hampton Cable TV Local Origination Fund, a special revenue fund created under Article 21 of the 2000 Annual Town Meeting so as to clarify that regardless of how the existing or prospective cable TV franchise agreement is worded, only 25% of the franchise fee revenues generated from said franchise agreement are to go into said Hampton Cable TV Local Origination Fund to upgrade, expand and enhance the development of local origination channels, with the remaining 75% of said revenues to go to the general fund unassigned fund balance so as to reduce taxes, but if the preceding Article 16 in this warrant passes to rescind the Hampton Cable TV Local Origination Fund then this Article 18 is null and void? (2/3 vote required)

Recommended by the Board of Selectmen          5-0

Moved by Rick Griffin, Seconded by Ben Moore to open Article 18 for discussion.

Rick Griffin gave an overview of Article 18.

The Moderator asked why the 2/3 vote is required. Mark Gearreald advised that any modification to the purpose of a special revenue fund requires 2/3 vote.

No further discussion. The Article will be on the ballot as written.

**Yes – 1867\***

No - 356

#### Article 19

Shall the Town of Hampton vote to raise and appropriate the sum of \$10,000 to be added to the Hampton Conservation Commission Land Acquisition Fund to acquire, maintain, improve, protect or limit the future use of or otherwise conserve and properly utilize open spaces and conservation easements in accordance with RSA 36-A:4? (Majority vote required)

Recommended by the Board of Selectmen          5-0

Recommended by the Budget Committee          12-0

Moved by Rick Griffin, Seconded by Mike Pierce, to open Article 19 for discussion.

Jay Diener gave an overview of Article 19.

No further discussion. The Article will be on the ballot as written.

Moved by Ben Moore, Seconded by Mike Pierce, to Restrict Reconsideration of Articles 16-19. Motion passed.

**Yes – 1895\***

No - 400

#### Article 20

Shall the Town of Hampton vote to raise and appropriate the sum of \$170,651 for the cost of Hampton's contribution to twenty human service agencies in the seacoast area as follows? (Majority vote required)

These twenty (20) human service agencies shall be required to give a written report at the end of the given fiscal year to the Board of Selectmen highlighting what the funds were used for and what the impact those funds had in assisting in their goals and objectives.

<u>Human Service Agency</u>	<u>Agency Request</u>
A Safe Place	\$5,500
American Red Cross	1,000
Aids Response Seacoast	2,700
Area Home Care & Family Services	12,000
Big Brothers/Big Sisters	6,500
Child & Family Services	5,000
Cross Roads	15,000
Families First Health & Support Center	10,000
Lamprey Health Sr. Transp. Program	4,200
New Generation Shelter	2,000
Retired Senior Volunteer Program	1,800
Richie McFarland Children's Center	6,000
Rockingham Community Action	25,000
Rockingham Meals on Wheels	5,051
SeaCare Health Services	10,000
Seacoast Assault Services	2,000
Seacoast Mental Health Center	8,000
Seacoast Visiting Nurse	40,000
Seacoast Youth Services	2,500
Transportation Assistance for Seniors	6,400



Total	<u>\$170,651</u>
Recommended by the Board of Selectmen	5-0
Recommended by the Budget Committee	12-0

Moved by Ben Moore, Seconded by Mike Pierce, to waive reading of Article 20. Motion passed.

Moved by Phil Bean, Seconded by Mike Pierce, to open Article 20 for discussion.

Fred Welch gave an overview of Article 20.

Lynn Goodman asked if there are no additions and if the difference in the totals, last year we had 21, this year 20, that one agency no longer exists.

Mike Schwotzer advised the number is exact from last year.

No further discussion. The Article will be on the ballot as written.

**Yes – 1935\***

No - 414

#### Article 21

Shall the Town of Hampton vote to amend its vote under Article 7 of the Warrant of March 16, 1963 by repealing said vote that read “To see if the Town will vote to ratify the policy of the Board of Selectmen, which was established around 1948, of charging a sewer entrance fee of \$100.00 for each sewer connection from one to five units, and an additional \$100.00 for each additional five living units, or less” and to enact the following fees for sewer connections to the Town’s Municipal Sewer System:

The residential sewer entrance fee shall be \$300.00 for each residential sewer connection from one to five living units, and an additional \$300.00 for each additional five units , or less, and shall be payable at the time of application for sewer connection to the Town’s Municipal Sewer System? (Majority vote required)

Recommended by the Board of Selectmen	3-1-1
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Moved by Dick Nichols, Seconded by Phil Bean, to open Article 21 for discussion.

Diandra Sanphy stated it doesn’t say anything about existing homes, only states new construction. Fred Welch stated new connection is the key.

Moved by Mary-Louise Woolsey Seconded by Mike Pierce to amend Article 21 to read as follows:

*Sewer Connection Fees / Wastewater System Development Charge*

*Shall the Town of Hampton vote to amend its vote under Article 7 of the Warrant of March 16, 1963 by repealing said vote that read “To see if the Town will vote to ratify the policy of the Board of Selectmen,*

*which was established around 1948, of charging a sewer entrance fee of \$100.00 for each sewer connection from one to five units, and an additional \$100.00 for each additional five living units, or less” and to enact the following fees for sewer connections and system charges to the Town’s Municipal Sewer System:*

*Shall the Town of Hampton vote to establish the following fees for connection to the Town’s Municipal Sewer System for single and multiple residential units, and establish a Wastewater System Development Charge for each as follows:*

*A single unit residential sewer entrance inspection/connection fee shall be \$300. A multiple residential unit sewer entrance inspection/connection fee shall be \$300 per unit. These fees for connection sites shall be payable at the time of application for the sewer connection(s).*

*In addition, for single and multiple residential units, there shall be assessed a Wastewater System Development Charge (SDC) for the right and ability to connect to the existing municipal wastewater treatment system and to utilize a specific portion of the capacity of that system.*

*The Wastewater System Development Charge (SDC) shall be calculated as follows for all new residential and wastewater system users:*

*The total system treatment capacity is predicated upon equivalent bedroom units (EBU) and will be calculated by the total permitted system treatment capacity divided by the average flow per day based upon the NHDES design manual. For purposes of SDC one EBU corresponds to the sanitary flow from a single bedroom unit of 150 gallons per day.*

*The average cost per EBU is calculated as the present value of the system replacement cost less the system’s return of equity, divided by the calculated total system treatment capacity EBU’s.*

*For each unit the SDC is calculated as an average cost per equivalent bedroom unit (EBU) times the number of proposed EBUs.*

*The SDC charge shall be payable upon application for a sewer service connection. The BOS shall hold a public hearing at any time that the formulas for residential need to be revised to keep them current and without impact to the property taxpayers.*

Ben Moore gave an overview of the Selectmen’s discussions regarding Article 21.

Vote on Woolsey amendment. The amendment failed.

**Moved by Eileen Latimer, Seconded by Bonnie Searle, to delete from after residential – to shall be payable. And add unit after residential and before sewer. Vote on Latimer amendment. The amendment passed.**

No further discussion. The Article will be on the ballot as amended.

Moved by Arthur Moody, Seconded by Art Gopalan, to Restrict Reconsideration of all Articles through 21. Motion passed.

Recessed for lunch at 12:00 pm.

Reconvened at 12:45 pm

**Yes – 1885\***

No - 398

### Article 22

Shall the Town of Hampton vote to adopt the re-numbering of the Town of Hampton Town Ordinances in accordance with the new numbering system created by the General Code Corporation, a copy of the new numbering is on file with the Town Clerk in the compilation entitled Code of the Town of Hampton, and to authorize the future re-numbering of those Article references when new amendments to the Code of the Town of Hampton or Town Ordinances are approved? (Majority vote required)

Recommended by the Board of Selectmen      5-0

Moved by Ben Moore, Seconded by Rick Griffin, to open Article 22 for discussion.

Ben Moore advised the Article is only housekeeping. Fred Welch gave an overview of Article 22.

Barbara Kravitz, 8 St Cyr Drive, asked if it has any effect of the zoning amendment Article 3. Fred Welch gave an explanation.

Arthur Moody spoke in opposition of Article 22.

Diandra Sanphy, 34 Langdale Drive, asked how is the book published without any money attached to it? Fred Welch advised the cost of the book (all 25 volumes) cost \$20,000 and the cost to update the book is \$14,000 to be spread out over a period of time.

Bonnie Searle spoke in opposition of Article 22.

Mary-Louise Woolsey spoke in opposition of Article 22.

Dick Nichols explained that the numbering system in the book is not the official numbering of the town. It is simply to make the numbering system accurate.

Fred Rice spoke in favor of Article 22.

Mary-Louise Woolsey asked for a legal opinion for whether or not it is legal without money attached.

Diandra Sanphy asked if the books are already in process. Fred Welch advised yes it is.

Moderator took a vote to cease discussion of Article 22. Motion passed.

No further discussion. The Article will be on the ballot as written.

**Yes – 2077\***

No - 208

#### Article 23

Shall the Town of Hampton vote to confirm the acceptance of the following named streets, without any payment of damages by the Town, that have previously been accepted by votes of the Board of Selectmen on the dates shown, and have been maintained by the Town since the Selectmen's acceptance, but by administrative oversight were not brought before Town Meeting for an acceptance vote: Jo Ann Lane, July 13, 1987; Gale Road, December 17, 1993 and January 12, 1996; Noel Road, August 23, 1999; Playhouse Circle, December 22, 2003; and further to accept the following streets for which deeds have been recorded to the Town and which are completed subdivision streets that the Town is maintaining but were not properly accepted by the Town Meeting or the Board of Selectmen: Hunter Drive, deed recorded June 21, 1999; Heritage Drive, deed recorded February 19, 1999; Bear Path, deed recorded June 13, 1997; Campbell Drive, deed recorded September 18, 1990; Holman Lane, deed recorded March 18, 1988; Raymond Lane, deed recorded December 15, 1994; Mooring Drive, deed recorded December 11, 1964; Hayden Circle and Coffin Drive, deed recorded June 21, 1991? (Majority vote required)

Recommended by the Board of Selectmen      5-0

Moved by Dick Nichols, Seconded by Rick Griffin, to open Article 23 for discussion.

Dick Nichols explained Article 23 is designed to correct an administrative oversight. Fred Welch gave an overview of Article 23.

Arthur Moody spoke in opposition of Article 23.

Art Gopalan spoke to Article 23. Fred Welch addressed Mr. Gopalan's concerns.

No further discussion. The Article will be on the ballot as written.

**Yes – 2072\***

No - 223

#### Article 24

Shall the Town of Hampton vote to accept "as is" Huckleberry Lane as a Class V Highway (Town Road). This street has been paved, maintained, has Town sewer and meets Town standards. This acceptance shall be at no cost to the Town. This article shall not become effective until all parties having an ownership interest in the roadway have signed a release to the Town of Hampton of any damages that could be claimed by them as a result of the acceptance of Huckleberry Lane as a Town Road? (Majority vote required)

Moved by Rick Griffin, Seconded by Ben Moore, to open Article 24 for discussion.

Fred Welch gave an overview of Article 24.

Arthur Moody spoke to Article 24.

Fred Welch addressed Mr. Moody's concerns.

Arthur Moody spoke further to Article 24.

Bonnie Searle spoke to Article 24.

No further discussion. The Article will be on the ballot as written.

**Yes – 2083\***

No - 228

#### Article 25

Shall the Town of Hampton vote to authorize the Board of Selectmen to withdraw the Town from the Southeast Regional Refuse Disposal District 53-B effective June 30, 2015, if said action is found by the Board of Selectmen to be in the best interests of the Town of Hampton? (Majority vote required).

Recommended by the Board of Selectmen 5-0

Moved by Dick Nichols, Seconded by Rick Griffin to open Article 25 for discussion.

Dick Nichols gave an overview of Article 25.

Fred Welch gave additional information on Article 25.

Fred Rice spoke in favor of Article 25.

Arthur Moody spoke to Article 25.

Mary-Louise Woolsey spoke in favor of Article 25.

No further discussion. The Article will be on the ballot as written.

**Yes – 2032\***

No - 190

#### Article 26

Shall the Town of Hampton vote to amend the Regulation of Animals Ordinance adopted at the Annual Town Meeting on March 9, 1994 by:

Deleting under Sec. 1:102 Definitions the definition of Cattery; and

Deleting in its entirety Section 1:103 "Animal Control Commission"? (Majority vote required)

Moved by Phil Bean, Seconded by Rick Griffin, to open Article 26 for discussion.

Fred Welch gave an overview of Article 26 advising it is housekeeping only

No further discussion. The Article will be on the ballot as written.

**Yes –1801\***

No - 331

#### Article 27

Shall the Town of Hampton vote to amend the Taxi Ordinance adopted by the March 9, 2010 Annual Town Meeting under Article 30 as follows:

Amend Section 10. License Term and Fees by

striking all of Subsection A that reads “All licenses granted under this Chapter shall continue and remain in full force and effect for a period from the first day of April each year until 12:00 midnight on the 31st day of March of the following year. All licenses currently issued at the adoption of this chapter shall expire on April 30, 2010.”; and

substituting therefore the words “All licenses granted under this chapter shall remain in full force and effect until the annual expiration date of their required insurance.”

And

Amend Section 15 Insurance by

striking all of Subsection A that reads “The personal injury coverage shall not be less than \$1,000,000 per person per accident with a total coverage of not less than \$2,000,000 per accident. The property damage coverage shall not be less than \$50,000 per accident.”; and

substituting therefore the following new Subsection A “The Commercial Auto Policy with personal injury coverage (Bodily injury and Property Damage) shall not be less than one million dollars Combined Single Limit (\$1,000,000), or a combination of a Commercial Auto policy and Excess Liability policy with Split Limit coverage totaling not less than one million dollars (\$1,000,000). Medical Payment coverage shall not be less than \$5,000 per person.”

And

Amend Section 15 Insurance by

striking all of Subsection B that reads “If required insurance terminates, expires or is suspended, the license shall immediately be returned to the Board of Selectmen. Said notice shall be mailed to the Board of Selectmen.”; and

substituting therefore the following: “Notice of cancellation of insurance for non-payment shall be sent to the Board of Selectmen ten days in advance by the insured and 30 days in advance by the insured for non-renewal, cancellation and cancellation warning.”? (Majority vote required)

Recommended by the Board of Selectmen 5-0

Moved by Ben Moore Seconded by Mike Pierce to waive the reading of Article 27.

Moved by Ben Moore, Seconded by Mike Pierce to open Article 27 for discussion.

Fred Welch gave an overview of Article 27.

Mary-Louise Woolsey spoke in favor of Article 27.

No further discussion. The Article will be on the ballot as written.

**Yes – 2056\***

No - 160

#### Article 28

Shall the Town of Hampton vote to amend the Pedicab Ordinance adopted under Article 45 of the Annual Town Meeting of March 8, 2011 as follows:

Amend Section 3 License Period by

striking all of the sentence that reads “All licenses granted under this Ordinance shall continue and remain in force and effect for a period from the date of issuance of the license until midnight on the 31<sup>st</sup> day of March of the following year.”; and

substituting therefore the following new sentence “All licenses granted under this chapter shall remain in full force and effect until the annual expiration date of their required insurance.”

And

Amend Section 7. Insurance Section A by

deleting the words and numbers “three hundred thousand dollars (\$300,000.00)”; and

substituting therefore the words and numbers “one million dollars (\$1,000,000.00) minimum commercial general liability coverage.”

And

Amend Section 7. Insurance, Section B by

adding following the words and numbers after “Coverage B \$1,000,000.00” the following words and numbers “If individuals other than the owner(s) are operating the pedicabs, the owner shall carry minimum Workers’ Compensation Insurance for \$1,000,000.00.”

And

Amend Section 7 Insurance, Paragraph 6 that begins with the words “If required insurance terminates” by deleting the last sentence that reads “Said notice shall be mailed 30-days in advance to the Board.”; and substituting therefore the following new sentence: “Said notice shall be presented to the Board of Selectmen ten days in advance for non-payment by the insured and 30 days in advance for non-renewal, cancellation and cancellation warning by the insured.”? (Majority vote required)

Recommended by the Board of Selectmen      5-0

Moved by Ben Moore Seconded by Mike Pierce to waive reading of Article 28. Motion passed.

Moved by Ben Moore, Seconded by Dick Nichols to open Article 28 for discussion.

Fred Welch gave an overview of Article 28. (same as Article 27)

No further discussion. The Article will be on the ballot as written.

Moved by Ben Moore, Seconded by Mike Pierce, to Restrict Reconsideration of Articles 22-28. Motion passed.

**Yes –2021\***

No - 196

#### Article 29

On the petition of John Nyhan and at least 25 Hampton registered voters, shall the Town of Hampton vote to raise and appropriate \$3,000 to pay to Experience Hampton Inc., the organizer of the 2010, 2011 & 2012 Hampton Christmas Parades, to help defray the expenses of the 2013 Christmas Parade and related activities? (Majority vote required)

Recommended by the Board of Selectmen      5-0

Recommended by the Budget Committee      12-0

Moved by Ben Moore, Seconded by Rick Griffin, to open Article 29 for discussion.

Ben Moore spoke in favor of Article 29.

John Nyhan spoke in favor of and gave an overview of Article 29.

No further discussion. The Article will be on the ballot as written.

**Yes – 1992\***

No - 357

#### Article 30



We, the undersigned registered voters of the Town of Hampton, New Hampshire petition the Board of Selectmen to include in the Warrant for the 2013 Annual Town Meeting the following Article in accordance with the provisions of RSA 39:3.

Shall we adopt the provisions of RSA 287-E relative to the conduct of games of Bingo and the sale of Lucky 7 tickets? (Majority vote required)

Moved by Mike Pierce, Seconded by Rick Griffin, to open Article 30 for discussion.

Pat Morgenstern, 45 Hampton Meadows, spoke in favor of Article 30.

Bruce Montville, 124 Glade Path, spoke in favor of Article 30.

Alphonso Webb, spoke in favor of Article 30.

Bonnie Searle spoke in opposition to Article 30.

Arthur Moody spoke to Article 30.

Diandra Sanphy spoke in favor of Article 30.

Russ Bridle, 225 Towle Farm Rd, spoke in favor of Article 30.

Rick Griffin advised this would include Bingo in Nursing Homes as well.

John Nyhan spoke as President of Experience Hampton in support of Article 30.

Eileen Latimer, 251 Mill Rd, spoke in favor of Article 30.

Fred Rice spoke in favor of Article 30.

Bonnie Searle spoke to Article 30.

Nathan Page spoke in favor of Article 30.

No further discussion. The Article will be on the ballot as written.

**Yes – 1532\***

No - 683

### Article 31

The undersigned residents of Hampton, petition that the Town of Hampton raise and appropriate funds for improvements to the Town of Hampton Skateboard Park, and more specifically, request that the Town “match”, dollar for dollar, all privately raised funds for 2013 improvements/renovations to the unimproved skateboard park area located between the recently (2012) renovated area of the skateboard park and the eastern edge of the skateboard park; and that the Town of Hampton’s contribution to the proposed improvement/renovation pursuant to this warrant article, shall not exceed \$25,000.00? (Majority vote required)

Not Recommended by the Board of Selectmen 5-0

Not Recommended by the Budget Committee 10-2

Moved by Ginny Bridle, Seconded by Rick Griffin, to open Article 31 for discussion.

No further discussion. The Article will be on the ballot as written.

Yes – 699

**No – 1625\***

Moved by Arthur Moody, Seconded by Ben Moore, to adjourn. Motion passed.

Deliberative session was adjourned at 2:20 pm.

Minutes prepared and submitted by Jane M. Marzinzik, Town Clerk, on March 25, 2013

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Jane M. Marzinzik, Town Clerk